

**REMARKS**

The Office Action of March 15, 2007 has been carefully considered. Claims 25, 26, 27, 48, and 49 are newly canceled. The limitations of claims 26 and 27 have been incorporated into claims 23 and 45. Claims 23, 28-30, 32, 45, 50-52, and 54 have been amended. None of the amended claims introduce new subject matter. Amended claims 23 and 45 introduce limitations previously found in other claims and are also supported at page 11, lines 8-26. Amendments to claims 28, 29, 50 and 51 replace trademarks with descriptive terminology. Claims 28 and 50 are supported at page 11, lines 12-13 of the specification. Claims 29 and 51 are supported at page 11, lines 20-24 of the specification.

**35 USC § 112**

Claims 28, 29, 50 and 51 were rejected under 35 USC 112, second paragraph as being indefinite because the claims contain trademark names. The claims have been amended to replace the trademark designations by descriptive terminology.

**35 USC § 103**

Claims 23-25, 30-33, 45-47, and 52-56 were rejected under 35 USC 103(a) as being unpatentable over Mueller et al (US 5,002,761; "Mueller") in view of Derwent Acc. No. 1988-157179 (Abstract of JP63096107 A; "Shiseido") and Data Sourcebook for Food Scientists and Technologists (1991, Y.H. Hui; "Hui").

The amendments to independent claims 23 and 45 incorporate the limitations of claims 26, 27, 48 and 49. The Examiner has already stated that claims having the limitations of claim 26 or claim 27 are patentable over the prior art. Since the independent claims are allowable, the dependent claims, which incorporate the same limitations are also allowable. Therefore, Applicant respectfully requests that the rejection be reconsidered and withdrawn.

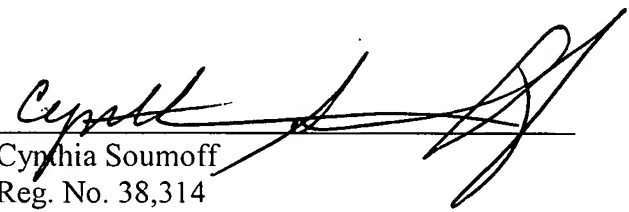
### Double Patenting

Claims 23-25, 30-33, 45-47, and 52-56 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-5 of U.S. Patent No. 6,517,822 in view of Shiseido and Hui. As stated above, the amendments to the claims, incorporating the limitations of claims 26 and 27, provide for allowable subject matter. Therefore, Applicant respectfully requests that the rejection be reconsidered and withdrawn.

In view of the foregoing, Applicants submit that all pending claims are in condition for allowance and request that all claims be allowed. The Examiner is invited to contact the undersigned should he believe that this would expedite prosecution of this application. It is believed that no fee is required. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,

Dated: April 27, 2007

  
Cynthia Soumoff  
Reg. No. 38,314  
Attorney for Applicant

MATHEWS, SHEPHERD, McKAY & BRUNEAU, P.A.  
29 Thanet Road, Suite 201  
Princeton, NJ 08540  
Tel: 609 924 8555  
Fax: 609 924 3036